

ATTORNEY'S DOCKET NO: 26553U

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: <u>3</u> December 2004 (<u>3</u> .12.2004)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLN. NO. (if known): Not Yet Assigned 10/516930
INTERNATIONAL APPLICATION NO.: PCT/EP03/05941	INTERNATIONAL FILING DATE: 06 June 2003 (06.06.2003)	PRIORITY DATE CLAIMED: 06 June 2002 (06.06.2002) DE
TITLE OF INVENTION: ANTIMICROBIAL POLYMERIC COATING COMPOSITION		
APPLICANT(S) FOR DO/EO/US: NONNINGER, Ralph; SCHICHTEL, Martin; GOEBBERT, Christian;		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f) The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date(Article31)</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <p>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input type="checkbox"/> Other items or information:</p> <p>TRANSMITTAL FORM; FEE CALCULATION; INTERNATIONAL PUBLICATION 03/103392 A1 WITH INTERNATIONAL PUBLICATION DATE 12 DECEMBER 2003 (12.12.2003) WHICH CONSISTS OF 18 PAGES WITH VERIFIED ENGLISH TRANSLATION INCLUDING 1 COVER SHEET; 13 PAGES TEXTUAL SPECIFICATION, 4 PAGES OF 26 CLAIMS; 1 PAGE OF THE ABSTRACT; 0 SHEETS DRAWINGS; PRELIMINARY AMENDMENT WITH ATTACHMENT A TO BE EXAMINED; UNEXECUTED INVENTOR'S DECLARATION; PCT/ISA/220 & 210 INTERNATIONAL SEARCH REPORT; GERMAN SEARCH REPORT; INFORMATION DISCLOSURE STATEMENT; PTO FORM 1449 CITING 5 REFERENCES; PCT/IB/304 NOTIFICATION CONCERNING TRANSMITTAL OF PRIORITY DOCUMENT; REQUEST..</p>		

U.S. APPLICATION NO. (if known) not yet assigned 10/516930	INTERNATIONAL APPLICATION NO. PCT/EP03/05941	DATE: <u>3</u> December 2004 <u>3</u> 12.2004)
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17. <u>x</u> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO:.....\$950.00 International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$750.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$790.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1110.00 International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) IPEA-U.S.....\$ 100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =	<u>CALCULATIONS</u> \$ 950.00 \$ 920.00 \$ 950.00	<u>PTO USE ONLY</u>
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Surcharge of \$130.00 for furnishing the oath or declaration later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	
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CLAIMS	NO. FILED	NO. EXTRA	RATE		
TOTAL	20 -20=	0	X \$ 18.00	\$	0.00
INDEPENDENT	<u>1</u> - 3=	0	X \$ 84.00	\$	0.00
Multiple dependent claims(s) (if applicable)			+ \$280.00	\$	0.00
TOTAL OF ABOVE CALCULATIONS =				\$	950.00
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$	475.00
SUBTOTAL =				\$	475.00
Processing fee of \$130.00 for furnishing the English translation later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	0.00
TOTAL NATIONAL FEE =				\$	475.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	0.00
TOTAL FEES ENCLOSED =				\$	475.00
				Amount to be:	
				refunded	\$
				charged	\$

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U.S. APPLICATION NO. (if known) not yet assigned 10/516930	INTERNATIONAL APPLICATION NO. PCT/EP03/05941	DATE: 3 December 2004 (3 .12.2004)
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a. ☒ One check in the aggregate amount of \$ 475.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.


d. Fees are to be charged to a credit card ☐ WARNING: Information on this form may become public ☐ Credit Card Information should not be included on this form. ☐ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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Gary M. Nath
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Tanya E. Harkins
Registration No. 52,993
Customer No. 20529

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
NONNINGER et al.
International Application No. PCT/EP03/05941
Serial No. NOT YET ASSIGNED
International Filing Date: 06 June 2003 (06.03.2003)
Filed: December 3, 2004
For: **ANTIMICROBIAL POLYMERIC COATING COMPOSITION**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

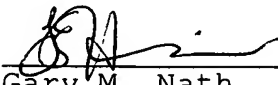
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter
- (2) Transmittal Letter To U.S. Designated/Elected Office
(DO/EO/US) Concerning Filing under 35 U.S.C. 371
- (3) International Publication No: WO 03/103392 A1
International Publication Date: 18 December 2003 (18.12.2003)
With verified English translation which consists of 18 pages including:
 - 13 pages Textual Specification,
 - 4 pages of 26 Claims,
 - 1 page of the Abstract
 - 0 sheets of Drawings;
- (4) Preliminary Amendment with Attachment A to be examined;
- (5) Unexecuted Inventor's Declaration;
- (6) PCT/ISA/220 & 210 International Search Report;
- (7) German Search Report dated 11 July 2002;
- (8) Information Disclosure Statement;
- (9) PTO Form 1449 citing 5 references;
- (10) PCT/IB/304 Notification Concerning Transmittal of Priority Document;
- (11) Request;
- (12) Check No. 22188 \$ 475.00 for Government Filing Fee as a small entity;
- (13) Postcard for early notification of serial number.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By:


Gary M. Nath
Registration No. 26,965
Tanya E. Harkins
Registration No. 52,993
Customer No. 20529

Date: December 3, 2004
NATH & ASSOCIATES PLLC
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GMN/TEH/dd/PCT.NATLphase.TL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. :

U.S. National Serial No. :

Filed :

PCT International Application No. : PCT/EP03/05941

VERIFICATION OF A TRANSLATION

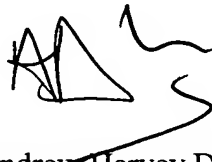
I, the below named translator, hereby declare that:

My name and post office address are as stated below;

That I am knowledgeable in the German language in which the below identified international application was filed, and that, to the best of my knowledge and belief, the English translation of the international application No. PCT/EP03/05941 is a true and complete translation of the above identified international application as filed.

I hereby declare that all the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent application issued thereon.

Date: November 19, 2004



Full name of the translator :

Andrew Harvey David SUMPTER

For and on behalf of RWS Group Ltd

Post Office Address :

Europa House, Marsham Way,
Gerrards Cross, Buckinghamshire,
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